

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHEN M. SALZMAN	:	CIVIL ACTION
	:	
v.	:	
	:	
BUCKS COUNTY FAMILY COURT	:	NO. 07-cv-1682-JF
et al.	:	

MEMORANDUM AND ORDER

Fullam, Sr. J.

May 3, 2007

Plaintiff, acting *pro se*, filed a motion for leave to proceed *in forma pauperis*. It appears from the accompanying complaint that plaintiff has been late paying child support, was sentenced to 90 days imprisonment for contempt after a hearing in the Bucks County Family Court, and has received another notice of arrears in April of this year. Plaintiff names as defendants "Bucks County Family Court," "Dept. of Human Relations," and "State of Pennsylvania Child Support Division," and alleges the following wrongs: plaintiff was not provided with counsel during the contempt hearing; the April 2007 notice of his continuing default on child support could subject him to double jeopardy and deprive him of due process of law; the Pennsylvania law on child support payments violates the federal limit on the maximum allowable garnishment of wages of individual debtors; and that his motion for reduction of support, filed in Bucks County Family Court, was "never transferred to the Courthouse."

Plaintiff's claims cannot go forward for numerous reasons, including Eleventh Amendment immunity and lack of merit. Therefore, the motion for leave to proceed *in forma pauperis* will be denied, and this action will be dismissed as frivolous, 28 U.S.C. § 1915(e)(2)(B).

An order follows.

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ORDER

AND NOW, this 3rd day of May, 2007, IT IS ORDERED:

1. Plaintiff's motion for leave to proceed *in forma pauperis* is DENIED.
2. This action is DISMISSED as frivolous.
3. The Clerk is directed to close the file.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.